

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

IN RE:

**CASE NO.: 6:16-bk-00880-KSJ
CHAPTER 7**

George Andrew Thierry,

Debtor.

_____ /

RESPONSE TO TRUSTEE'S AMENDED MOTION TO SELL

COMES NOW, NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY ("Secured Creditor"), by and through its undersigned counsel, responds to the Amended Motion to Sell Property Free and Clear of Liens (DE# 26) ("Motion") filed by Trustee Richard B Webber ("Trustee") as follows:

1. Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on February 12, 2016.
2. Movant holds a security interest in the Debtor's real property located at 1000 N Roma Way, Kissimmee, FL 34746 by virtue of a Mortgage dated February 9, 2009, which was recorded in the Public Records of Osceola County, Florida, on February 23, 2009, in Official Record Book 03801 at Page 1833. Said Mortgage secures a Note in the amount of up to \$382,500.00.
3. The aforementioned Mortgage gives Secured Creditor a first reverse mortgage position on said property, legally described as:
**LOT 6, CAROL ACRES, ACCORDING TO THE OFFICIAL PLAT THEREOF
RECORDED IN PLAT BOOK 5, PAGE 27, PUBLIC RECORDS OF OSCEOLA
COUNTY, FLORIDA.**
4. Secured Creditor does not object to Debtor's Motion to the extent that Secured Creditor is paid in full from the proceeds at the closing of the sale.

5. Secured Creditor obtained an appraisal, please see "Exhibit A," which indicates the value of the property is \$204,000.00.
6. As of the filing of this response, the estimated payoff of Secured Creditor's lien is currently \$250,111.69, please see "Exhibit B." Secured Creditor will provide Debtor's counsel with an updated payoff amount at or prior to the sale closing.
7. Secured Creditor is filing this Response in an abundance of caution, as Secured Creditor wants it to be clear that it should not be compelled to participate in a sale of the property absent payment in full of Secured Creditor's mortgage lien on the real property at closing.

WHEREFORE, Secured Creditor requests that this Court enter an Order Granting Trustee's Amended Motion subject to the above conditions.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 21, 2016, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, and a true and correct copy has been served via CM/ECF or United States Mail to the following parties:

JD KERR PA
102 PARK PLACE BLVD., STE B-2
KISSIMMEE, FL 34741

GEORGE ANDREW THIERRY
1000 ROMA WAY
KISSIMMEE, FL 34746

RICHARD B WEBBER, TRUSTEE
POST OFFICE BOX 3000
ORLANDO, FL 32802

UNITED STATES TRUSTEE - ORL7/13
400 WEST WASHINGTON STREET, SUITE 1100
ORLANDO, FL 32801

Robertson, Anschutz & Schneid, P.L.
Authorized Agent for Secured Creditor
6409 Congress Ave., Suite 100
Boca Raton, FL 33487
Telephone: 561-241-6901
Facsimile: 561-997-6909
By: /s/ Iris Kwon
Iris Kwon, Esquire
Email: ikwon@rasflaw.com